

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

Ladacia Giles,  
Plaintiff,

v.

Carolina Primary Care Physicians, LLC f/k/a  
Carolina Primary Care Physicians, PA d/b/a  
MUSC Health Primary Care – Coosaw,  
Defendant.

CASE NO: 2:23-cv-4683-DCN-MGB

**COMPLAINT**  
**(Jury Trial Requested)**

---

**JURISDICTION AND PARTIES**

1. This suit is brought, and jurisdiction lies pursuant to the Civil Rights Act of 1964 (Title VII), 42 U.S.C. §2000e *et seq.* and for racial discrimination under Title VII of the Civil Rights Act of 1964.

2. All conditions precedent to jurisdiction under §706 of Title VII, 42 U.S.C. §2000e-5 have occurred or been complied with.

- a. A charge of employment discrimination on basis of racial discrimination was filed by the Plaintiff with the U.S. Equal Employment Opportunity Commission (“EEOC”).
- b. Notification of the Right to Sue was received from the U.S. Equal Employment Opportunity Commission (“EEOC”) on or about July 6, 2023.
- c. This Complaint has been filed within the 90 days of receipt of the EEOC’s Notice of Right to Sue.

3. Plaintiff, Ladacia Giles, is a citizen and resident of the State of South Carolina, and resides in Dorchester County, South Carolina.

4. All discriminatory employment practices alleged herein were committed within the State of South Carolina.

5. Defendant, Carolina Primary Care Physicians, LLC f/k/a Carolina Primary Care Physicians, PA d/b/a MUSC Health Primary Care - Coosaw, upon information and belief, upon information and belief, is a domestic corporation organized and operating in South Carolina.

6. Defendant is a "person" within the meaning of §701 Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e.

7. Defendant is an industry that affects commerce within the meaning of the Civil Rights Act of 1964, 42 U.S.C. §2000e.

8. Defendant employs fifteen (15) or more employees and is an "employer" within the meaning of the Civil Rights Act of 1964, 42 U.S.C. §2000e.

9. The parties, matters and all things and matters hereinafter alleged are within the jurisdiction of the Court.

### **STATEMENT OF FACTS**

10. In or about April 2012, the Plaintiff, an African American, began working for the Defendant as an RMA/TCA/MOA. At all times, the Plaintiff was efficient and effective in her job.

11. Beginning in or about August 2021, Plaintiff noticed that Caucasian applicants with less education and training were always approved for management positions while anyone of color was immediately denied. Plaintiff went to her supervisor, Ethan Keeter, to report the matter several times.

12. On or about August 31, 2021, Plaintiff applied for an open position of Clinic Nurse Leader/Office Manager, as she wanted to move forward in her career.

13. On or about September 9, 2021, Plaintiff had an interview for the Clinic Nurse Leader/Office Manager, but the position was given to a less qualified, Caucasian woman. The Plaintiff was not given a reason as to why the position was given to the other person, someone less qualified than Plaintiff.

14. Plaintiff is therefore informed and believes she was denied a promotion due to her race. Any stated reasons for promoting Ms. Meza over Plaintiff are merely pretextual in nature.

### **FOR A FIRST CAUSE OF ACTION** **Racial Discrimination/ Failure to Promote - Title VII**

15. The Plaintiff reiterates and realleges each and every allegation as if fully set forth herein.

16. Plaintiff is a member of a protected group on the basis of her race.

17. Defendant was wanton, reckless, willful and intentional in the discrimination of the Plaintiff in the following particulars, to wit:

- a. In failing to promote the Plaintiff in favor of a less qualified Caucasian employee;
- b. In showing preferential treatment to Caucasian employees and detrimental treatment to Plaintiff;

- c. In demonstrating a pattern of discriminatory treatment toward African American employees by not promoting those who were in a protected class; and
- d. In other particulars which discovery may show.

18. In failing to protect the Plaintiff from racial discrimination or preferential treatment, the Defendant acted with malice or reckless indifference to the federally protected rights set out under Title VII of the Civil Rights Act of 1964 (42 U.S.C. §2000e *et. seq.*) and the Equal Employment Opportunity Act.

19. The Defendant violated Title VII of Civil Rights Act of 1964 (42 U.S.C. §2000e *et. seq.*) and the Equal Employment Opportunity Act by allowing racial discrimination and preferential treatment to exist in the workplace.

20. Due to the acts of the Defendant, its agents and employees, the Plaintiff is entitled to injunctive relief and civil damages.

### **REQUEST FOR RELIEF**

21. The Plaintiff reiterates and realleges each and every allegation as if fully set forth herein.

22. Due to the acts of the Defendant, Plaintiff suffered great emotional and mental distress, fright, revulsion, disgust, humiliation, embarrassment, shock and indignities, lost wages, loss of front pay, back pay and other work benefits.

23. That by reason of such wrongful acts of the Defendant, the Plaintiff has been damaged in such an amount to be determined by the trier of fact.

WHEREFORE, Plaintiff prays for the following relief:

- 1. Judgment in favor of the Plaintiff and against Defendant for all causes of actions in an amount which is fair, just and reasonable, and for compensatory damages;
- 2. Judgment in favor of the Plaintiff and against the Defendant for front pay and any other work benefits she lost in such an amount to be determined by the trier of fact;
- 3. Prejudgment interest, costs and attorney's fees as may be allowed by law;
- 4. Judgment in favor of the Plaintiff and against Defendant for embarrassment and humiliation, and emotional distress in an amount to be determined by the trier of fact; and
- 5. Judgment against Defendant, in such an amount of actual damages, punitive damages, attorney's fees, costs of this action and any other relief this Honorable Court deems allowable under law, and just and proper.

**WIGGER LAW FIRM, INC.**

*s/ Michael A. Brooks*

Michael A. Brooks (Fed. I.D. #14005)

Attorney for the Plaintiff

8086 Rivers Avenue, Suite A

North Charleston, SC 29406

(843) 553-9800

North Charleston, South Carolina

September 18, 2023